

2020

**WHITE PAPER
SUMMARY**

《白皮书》概要

Policy Priorities by Industry 各行业重点关注问题

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AmCham China's *American Business in China White Paper* (White Paper) is a comprehensive analysis of China's economic policies and practices impacting foreign trade and investment from the American business community in China. The *2020 White Paper*, the 22nd edition, includes input from a wide variety of member companies representing 18 major industries, 12 cross-cutting issue areas, and four major regions/cities in China.

2019 was a turbulent year in US-China relations, which created challenging conditions for the business community. Each of the 37 chapters in this year's *White Paper* summarizes regulatory improvements seen throughout 2019, but also encapsulates the range of challenges and concerns still facing our member companies with respect to their China operations. The *White Paper* is nearly 500 pages in length. In an effort to distill AmCham China's key messages and policy priorities, this, our ***2020 White Paper Summary* document, maps our key recommendations by industry to AmCham China's 2020 overarching Policy Priorities** and at the same time reinforces the substance of the Policy Priorities with concrete examples of the kinds of challenges facing the American business community in China. AmCham China's 2020 Policy Priorities focus and guide the Chamber's advocacy efforts. They are: 1) [Rebuilding Trust through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes](#), 2) [Promoting Development through Policies of National Treatment and Competitive Neutrality](#), and 3) [Stimulating Innovation through Global Cooperation and Intellectual Property Protection](#).



Rebuilding Trust through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes

Include clear benchmarks, timelines, and intensive monitoring mechanisms to ensure lasting changes to China's legal and regulatory architectures and the impartial implementation of laws and regulations

Give foreign-invested enterprises (FIEs) equal opportunity to participate in the drafting and review of relevant laws and regulations, and ensuring draft "comment periods" are provided with reasonable timelines and made public far enough in advance to ensure full participation by the domestic and foreign business communities.

Promoting Development through Policies of National Treatment and Competitive Neutrality

Consistent with the spirit of the *Foreign Investment Law* and the Phase One Agreement, treat foreign investors and FIEs no less favorably than the best treatment offered to any domestic Chinese company, whether private, state-owned or state-controlled.

Eliminate laws and regulations, enforcement activities, approval processes, procurement preferences, and other requirements that treat FIEs products, and services less favorably than domestically-invested firms or those produced by domestically-invested firms.

Implement market opening in more sectors, particularly areas in which previous commitments have already been made, in order to achieve a more balanced investment relationship.

Stimulating Innovation through Global Cooperation and Intellectual Property Protection

Promote the Internet as a platform for global interaction and limit restrictions on cross-border data flows to encourage international collaboration and innovation.

Establish a clear, unified system of penalties to deter IP theft including through cyber-enabled means.

Consult closely with the foreign business community during the development of IP protection mechanisms detailed in the *Foreign Investment Law* including development of a punitive compensation system and a dispute settlement mechanism for IP.

Ensure all standards development technical committees are open to FIEs so that they can participate on an equal basis with domestically-invested enterprises.

White Paper Summary >> Agriculture

Rebuilding Trust

through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes

Simplify the approval procedure for the import and export of seed and breeding materials, for imported feed and feed additives, and in the agrochemical industry.

Consistent with the Phase One Agreement, streamline the agricultural biotech regulatory process and associated review time frames. Relevant certification proceedings should be conducted periodically and in accordance with a defined, scheduled timeline.

Continue to adopt scientific evaluation standards across the agricultural supply chain and allow Chinese farmers greater access to antibiotic alternatives by streamlining approval procedures.

Promoting Development

through Policies of National Treatment and Competitive Neutrality

Improve the competitiveness and sustainability of Chinese agriculture by further opening the industry up to foreign investment in agricultural biotechnology, modern agricultural processing, wheat, maize, soybean, rice breeding, and seed production.

Include FIEs in the final allocation of Tariff Rate Quotas (TRQs) based on a clear, objective, and transparent set of criteria, and publish the final allocation results with a written explanation.

Stimulating Innovation

through Global Cooperation and Intellectual Property Protection

Impose more severe penalties on infringements of Plant Variety Protections (PVP).

Continue to adopt scientific evaluation standards across the agricultural supply chain.

Make use of IP tools to provide comprehensive innovation protection, including:

- Establish technical specifications for the determination of Essentially Derived Varieties, especially for maize,
- Ensure trade secret protections are granted to germplasm products to protect breeding innovation rights,
- Grant proper patent rights to innovative biotech products which are not individual plant varieties,
- Introduce molecular detection methods to help protect crops from pests and disease,
- Establish an IP credit system for seed companies to better manage IP over seed development and enhance PVP enforcement.



Rebuilding Trust

through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes

Provide enterprises (foreign and domestic) with more opportunity to participate in discussions and submit opinions at early policy drafting stages so that policies and standards better reflect market needs.

Institute a policy formulation and adjustment cycle of not less than three years consistent with the production cycle for vehicles and related technologies.

Clarify the duties and responsibilities of the regulatory authorities and enhance interdepartmental coordination to support the industry's development.

Provide passenger / commercial auto manufacturers with four to five years advance notice prior to the implementation of the next phase of emission standards.

Promoting Development

through Policies of National Treatment and Competitive Neutrality

Exempt intelligent and connected vehicle (ICVs), self-driving, and other new technologies, processes, and materials from licensing requirements to encourage their development.

Prioritize the creation of a level playing field throughout the entire production cycle from design to development, manufacture, and recycling of used vehicles and New Energy Vehicles (NEVs).

Ensure local protectionist measures that undermine the industry's development are removed to achieve an environment characterized by no restrictions on the purchase and production of NEVs.

Stimulating Innovation

through Global Cooperation and Intellectual Property Protection

Liaise with international counterparts and more openly and transparently engage FIEs in the standards development process. Such practice would enable China to develop domestic ICV standards that are aligned with emerging international standards.

With regard to emerging ICV technologies (i.e., technologies without existing standards or those whose development is in conflict with existing technical regulations), regulators should establish technical evaluation committees and an evaluation process to exempt certain technologies from compliance with out-of-date standards where needed to promote innovation.



Rebuilding Trust

through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes

Clarify the scope of business services that can be provided by foreign-owned or invested wealth management companies and institute a clear, convenient, and transparent application process.

With respect to automotive financing, develop industry-specific regulatory requirements and standards through a transparent process with close consultation from the industry. Issue clearer instructions for foreign-invested financing companies to more appropriately manage their compliance.

Promoting Development

through Policies of National Treatment and Competitive Neutrality

Remove all quotas in the banking sector, including on foreign debt.

Allow foreign financial institutions to act as lead underwriters for corporate bonds.

Recognize global custodians in the mainland China market by removing the requirement for foreign investors to contract directly with local sub-custodians.

Follow through on commitments to remove barriers to market entry and operation for foreign-invested credit ratings agencies.

Allow foreign-invested asset managers to apply to offer a full range of services including providing services for institutional insurance and pension investors.

Stimulating Innovation

through Global Cooperation and Intellectual Property Protection

Explicitly allow companies and their subsidiaries to conduct intra-party cross-border data transfers and uphold the principles of free movement of data that China signed on to in the G20 Osaka Leaders Declaration.

Open the China Financial Standards Technical Committee (TC180) to participation by FIEs, adopt a technology-neutral and risk-based approach to cybersecurity, and adopt industry best practices for pen testing as outlined in the *GFMA Framework for the Regulatory Use of Penetration Testing in the Financial Services Industry*, including recognition of firm-led pen testing.

Rebuilding Trust

through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes

Accelerate progress towards an integrated national ATFM framework and the national airspace capacity quantification system which will effectively support airport operators, airspace planners, and airline network development specialists through enhanced system management.

Undertake greater effort to raise awareness about the impact of construction processes on energy and the environment. Adopt national standards for clean construction equipment and processes that would lead to significant improvements in local air quality.

Promoting Development

through Policies of National Treatment and Competitive Neutrality

Provide air carriers access to domestic aeronautical information so that it can be utilized to create the charts and maps required to support safe flight throughout China.

Improve access for foreign flight training companies to conduct pilot training in China.

Impose stricter supervision on manufacturers and/or shippers of dangerous goods. Stronger enforcement of China's dangerous goods regulations on other parties such as manufacturers and shippers would help to ensure a level playing field for all operators.

Stimulating Innovation

through Global Cooperation and Intellectual Property Protection

Continue to align certification processes with international standards.

Continue the effective utilization of efficiency-boosting NextGen and SESAR technologies in air traffic management procedures by developing plans to encourage their system-wide use.

Continue to improve the national aviation weather forecasting system to increase hub airport operational efficiency and alleviate delays.

Continue to work with the International Civil Aviation Organization (ICAO), other international organizations and standards bodies to globally harmonize and align on global standards for unmanned aerial systems/urban aerial mobility (UAS/UAM) regulatory frameworks and UAS Traffic Management capability development.



Rebuilding Trust

through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes

Clarify ambiguous language in the Overseas NGO Law (*the Law*) and publish clear and consistent implementing guidelines. The drafting of implementing guidelines should be open and allow overseas NGOs and their Chinese partner organizations to participate.

Clarify the regulations regarding overseas NGOs “engaging in or financing profit-making activities” or providing fees for service. With respect to fees for service, clarify the right of overseas NGOs to offer services for fees into law.

Simplify the documentation required for a temporary activity permit application and require Chinese partner CCUs (Chinese Cooperation Units) that withhold approval to provide a written explanation within 30 days.

Promoting Development

through Policies of National Treatment and Competitive Neutrality

Continue to update/expand the list of Professional Supervisory Units (PSUs) and provide clear procedures and incentives for government entities to act as PSUs.

Conduct more outreach activities with foreign NGOs and their Chinese partners to provide updated information regarding interpretation of the Overseas NGO Law by the public security authorities.

Stimulating Innovation

through Global Cooperation and Intellectual Property Protection

Encourage China’s overseas embassies and consulates to hold training and information activities or make diplomats knowledgeable about the Overseas NGO Law available to local NGOs.



Rebuilding Trust

through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes

Relax restrictions on compensation for direct sales agents and allow compensation to be based on the aggregate volume of the sales team under a direct sales agent.

Consider updating industry regulations on such business operations as recruitment, compensation, training, and management in close consultation with industry stakeholders.

Promoting Development

through Policies of National Treatment and Competitive Neutrality

Revise regulations related to the Direct Sales Regulation as soon as possible to lift restrictions on the direct sales industry, including the following:

- Ease product category restrictions and allow the sale of OEM (original equipment manufacturer) products by direct sales firms,
- Remove or relax local service center requirements,
- Reduce restrictions on direct sales agent training and other daily operations facing direct sales enterprises.



Rebuilding Trust

through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes

Clarify and disseminate implementing regulations for *the Law on the Promotion of Private Education* as soon as possible. Govern private education institutions according to standards defined by the Law.

Simplify visa and work permit application procedures for foreign teachers under the Foreign National Work Authorization Program to enable China to attract the highest quality teachers. Introduce policies that enable foreign students studying in China to transfer to a Work Permit if they have accepted a job.

Continue to ensure both online and classroom-based foreign teachers meet the qualification requirements defined by the Foreign Experts Bureau (FEB).

Promoting Development

through Policies of National Treatment and Competitive Neutrality

Pursue a steady, phased approach to reforms in education regulation, particularly with respect to reforms that will impact investment in the education sector by FIEs.

Consistent with the past 40 years of *Reform and Opening*, continue to design, implement, and legislate policies to promote a more open, accessible, and sustainable education sector.

Consider extending the tax-exempt allowances for children's education currently in place through 2021. Removal of these allowances will significantly increase the cost of educating the children of foreign nationals working in China.

Stimulating Innovation

through Global Cooperation and Intellectual Property Protection

Actively support and regulate the integration of artificial intelligence technologies across the education sector to encourage lifelong learning and education equity.



Rebuilding Trust

through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes

Establish a uniform regulatory framework at the national level for the express delivery industry. Clarify the responsibilities of the various regulatory bodies and standardize such supervision nationally.

Formulate unified technical standards including with respect to security inspection equipment that are jointly recognized by all relevant ministries and government bodies.

Establish a data platform that is compatible with the existing MPS information system to promote data sharing between regulatory bodies and reduce the need for duplicative data requests.

Promoting Development

through Policies of National Treatment and Competitive Neutrality

Consider the characteristics of the "agency model" commonly used within the international express delivery industry as compared with the "franchise model" commonly adopted in China, differentiate between these two models, and implement differentiated regulatory management practices that are suitable for each.

Stimulating Innovation

through Global Cooperation and Intellectual Property Protection

Relevant cybersecurity and express delivery industry regulators should jointly formulate a reasonable data assessment system for the express delivery industry that balances local security requirements with the need of express delivery enterprises to collect and transfer data across borders frequently.

Promulgate policies that enable greater adoption of NEVs in the express delivery industry by reducing the restrictions on NEVs used for express delivery in cities and by accelerating construction of infrastructure to support NEV use.

White Paper Summary >> Food and Beverage

Rebuilding Trust

through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes

Put forth a unified framework and description of laws, regulations, and standards that govern the food and beverage industry. The relationship between food safety laws, rules, and standards and non-food safety standards that pertain to the food and beverage industry needs to be clarified, and the responsibilities of relevant government departments should also be clarified.

Require departments responsible for developing policies to consult with researchers and industry when developing nutrition and health policies to ensure policies are fair, reasonable, and realistic.

Promoting Development

through Policies of National Treatment and Competitive Neutrality

Continue to strengthen the professional capacity of market regulators, inspectors, and law enforcement.

Fulfill the relevant provisions of the Phase One Agreement between the US and China and accelerate on-site verification and registration of infant formula milk powder formulas for FIEs, in order to highlight the principle of equal treatment for domestically-invested enterprises and FIEs to expedite their normal operations.

Stimulating Innovation

through Global Cooperation and Intellectual Property Protection

Utilize existing platforms offered by organizations like AmCham China to develop Public-Private Partnerships or regular platforms for dialogue to encourage the sharing of international best practices and technology in the food and beverage industry.

Strengthen communication between relevant US government authorities, industry associations, and American enterprises in China. Increase opportunities to involve all parties in seminars, dialogues, and workshops related to international expertise and best practice urgently in demand across the Chinese government.

Adopt or establish food safety and inspection rapid detection methods that are aligned with international standards.



Rebuilding Trust

through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes

Issue guidance to support the Market Authorization Holder (MAH) implementation for all product types (chemical, biological, and vaccine), and ensure that the regulations apply equally to the MAH holder regardless of whether they are based in China or overseas.

Ensure that all provinces and localities have periodic windows to review, accept, and add medical services to the *National Medical Service Price Item Specification* to allow patients to access the latest devices in a cost-effective manner.

Clarify intent around the introduction of a National Reimbursement Drug List (NRDL) dynamic adjustment mechanism.

Further clarify occupational health protection techniques and the health rights of medical personnel as part of the proposed amendments under *Healthy China 2030*, such as by revising the *Occupational Disease Prevention and Control Law*.

Promoting Development

through Policies of National Treatment and Competitive Neutrality

Revise *Negative List* Article 28 to allow foreign investment in human stem cell, gene diagnosis, and therapeutic technology application and development as long as such investment does not alter the patient's genes, publicize, or transfer patient genetic information without appropriate authorization.

Ensure that vaccine procurement for the National Immunization Program is based on scientific principles and the quality of the vaccines themselves rather than the domicile of the manufacturer.

Remove barriers that, in practice, disadvantage foreign-invested makers of in-vitro reagents, including by shortening the time required to change an in-vitro diagnostic reagent registration.

Remove restrictions and limitations on foreign-invested hospitals including foreign equity limits, a ban on new hospital branches, the requirement to report each branch separately for tax purposes, and restrictions on the number of hospitals that foreign employees and doctors can be permitted to work.

Stimulating Innovation

through Global Cooperation and Intellectual Property Protection

Solicit for public comment detailed implementing regulations in support of the provisions laid out in the *Opinions on Strengthening Intellectual Property Rights Protection* and ensure that any such regulations are applied transparently and equally.

Promote industry innovation by allowing medical device standards to act as recommended guidelines rather than mandatory standards.

Domestic pharmacopoeia should be aligned with international pharmacopoeia to the maximum extent possible, and any domestic standards should be established transparently with supporting data.



Rebuilding Trust

through Concrete Actions
Leading to Greater Transparency
and Evenhandedness of
Regulatory Processes

The definition of critical information infrastructure (CII) should be clarified and made applicable only to a specific and relatively narrow category of information infrastructure. The distinction between CII and network operators should be clarified and remain consistent across the regulatory environment and various actors.

None of the implementing regulations for the *Cybersecurity Law* should go beyond the scope of the CSL as stated within its original text.

Remove intrusive system scanning and pen-testing used in cybersecurity inspections and recognize company-led testing results.

Ensure consistency in the application and interpretation of public procurement laws.

Promoting Development

through Policies of National Treatment and
Competitive Neutrality

Open the cloud computing service business to FIEs to both enhance competitiveness and ensure the sector develops in tandem with emerging globally accepted standards and practices.

International standard cryptographic algorithms should be permitted to be used in the same fashion as China's national cryptographic algorithms. The use of domestic cryptographic algorithms should not be forced or encouraged on FIEs in any way.

Clarify in writing that "secure and controllable" criteria and other product safety and reliability standards do not promote domestically-invested products at the expense of foreign-invested products on the basis of the nationality of the shareholder.

Stimulating Innovation

through Global Cooperation and Intellectual
Property Protection

Avoid isolating China's domestic AI development and assume a leadership role through multilateral participation in the development of global AI governance, ethics, standards and best practices to establish a floor of responsibility for the development and use of AI that supports market competition in a healthy manner.

Eschew data localization policies or implement them only within a narrow scope of application and subject to transparent and objective procedures. At the same time, proactively participate in existing multilateral frameworks, such as the Osaka Track, the APEC Cross-Border Privacy Rules System, and the APEC Privacy Framework.



Rebuilding Trust

through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes

Issue detailed implementing measures describing how foreign brokerage licenses will be released and how foreign-invested brokerage companies will be able to apply.

Correct the heavier tax burden on insurance companies as a result of VAT reform.

Provide written explanations and clarifications regarding insurance regulations to reduce ambiguity and uncertainty.

Clarify the qualifications for banks holding capital guarantee funds, including the definition of "major penalties."

Promoting Development

through Policies of National Treatment and Competitive Neutrality

Issue detailed implementing measures describing how foreign equity caps can and will be lifted for businesses operating in the insurance industry.

Increase competition in pension and health insurance by licensing foreign-invested applicants.

Increase coordination between the China Banking and Insurance Regulatory Commission (CBIRC), the Ministry of Finance (MOF) and the State Taxation Administration (STA) to provide equal treatment to the insurance industry by applying VAT exemptions to premiums derived from direct insurance cover for such overseas domiciled risks.

Review and approve branch applications by foreign-invested insurers in the same manner and pace as applications by domestically-invested insurers.

Promptly revise the 2004 *Interim Provisions on the Regulation of Insurance Asset Management Companies (IAMCs)* to further clarify the removal of any restrictions on foreign ownership of IAMCs.

Stimulating Innovation

through Global Cooperation and Intellectual Property Protection

Further open the Internet insurance sector by allowing a greater number of insurance products, including critical illness products, to be sold online nationwide.



Rebuilding Trust

through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes

Any Draft Regulations on the administration of the China offices of foreign law firms and any restrictions imposed therein should be transparent and be published for public comments before promulgation and implementation. Any restrictions on foreign law firms' advice on China legal and business matters should be reasonable and practical.

Simplify the requirements, eliminate the unpredictability, and reduce the review period for the establishment of foreign law firms' representative offices, as well as the opening of additional offices.

Promoting Development

through Policies of National Treatment and Competitive Neutrality

Revise current regulations to allow foreign law firms to hire and admit to their employment and partnerships PRC-qualified lawyers without requiring them to suspend their PRC lawyer's license.

Clearly provide in regulations that foreign lawyers are permitted to participate in all meetings between their clients and Chinese government departments and licensed PRC attorneys can handle litigation matters in PRC courts.

Provide foreign law firms with treatment equivalent to that of domestic law firms for PRC income tax purposes.

Allow foreign law firms to hire foreign non-legal professionals and improve the procedures for registering and transferring representatives.



Rebuilding Trust

through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes

Simplify the machinery homologation procedure to enable manufacturers to deliver clean and efficient products to customers on time. Ensure stringent and consistent enforcement of emission regulations.

Modify the certification requirements for marine engines and adopt a test approach such as in-use marine check rather than the current durability (DF) test.

Continue to promote the unimpeded flow of remanufactured finished goods (RFG) across borders and make recycled, remanufactured cores exempt from VAT. Consider allowing RFG to be used for warranty replacements.

Prioritize regulatory consistency and only promulgate new or amended regulations after thorough research.

Promoting Development

through Policies of National Treatment and Competitive Neutrality

Consider replacing the current subsidy system with a tax credit regime based on current global norms and ensure a level playing field for FIEs.

Ensure that policies stemming from *Made in China 2025* are not used to support domestically-invested enterprises at the expense of FIEs by effectively excluding FIEs from commercial opportunities given the implicit and explicit favoritism toward local firms created by the stated industrial policy.

Continue to permit FIEs to engage in factoring as a regular element of their business operations in the financial leasing sector.

Stimulating Innovation

through Global Cooperation and Intellectual Property Protection

Adhere to globally-accepted international standards with respect to the manufacturing of machine engines and engine parts.



White Paper Summary >> Media and Entertainment

Rebuilding Trust

through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes

Remove and/or stay implementation of all laws, regulations, decrees, and notices that are not officially announced and published.

Allow content reviews of foreign television series to be conducted on a per-episode basis, and facilitate a more transparent, streamlined, and accelerated process for content review.

Promoting Development

through Policies of National Treatment and Competitive Neutrality

Remove market access barriers to allow 100 percent foreign ownership of film and television production and distribution companies and online video services companies.

Complete negotiations as required for the update to the US-China Film MOU to bring revenue share in line with international norms, increase the number of imported films, and remove market access barriers.

Remove restrictions during peak periods for imported films and allow US film producers flexibility to decide release dates.

Remove quota restrictions on foreign content for online video services.

Stimulating Innovation

through Global Cooperation and Intellectual Property Protection

Strengthen IPR protections to improve the operating environment for the film, entertainment, and theme park industry. As part of these efforts, implement the regulations outlined in the State Council and CCCPC *Opinions on Strengthening Intellectual Property Rights Protection* in a transparent and equal manner.

Increase the level of compensation given to copyright owners who have their rights infringed, ease the copyright owner's burden of proof, and establish stronger deterrent-level penalties.

Promulgate new rules that effectively address the huge volume of internet piracy caused by video aggregation websites and mobile apps.



Rebuilding Trust

through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes

Lower barriers to the import of US-origin liquid natural gas (LNG) and eliminate the existing 25 percent tariff on US-origin LNG.

Ensure that offshore environmental protection regulations do not unnecessarily impede the normal environmental impact assessment (EIA) approval process or counterproductively affect legitimate business activities, and that the evaluation of accidents involving oil spills is conducted fairly and conclusively.

Promoting Development

through Policies of National Treatment and Competitive Neutrality

Expand the opportunities for onshore licensing for exploration. China should offer more and better acreage, adequate data availability and access, and generous financial terms to attract bids from non-national oil companies.

Implement a liberalized gas pricing scheme that reflects the true costs of gas supply, competitive supply chains, and provision of third-party access (TPA) to shale gas infrastructure. Adopting contract structures suited to shale gas will also assist in stimulating foreign investment in the sector.

Stimulate Innovation

through Global Cooperation and Intellectual Property Protection

Consider policies to foster partnership opportunities between international oil companies and domestic national oil companies to develop China's underexplored marine lacustrine shales, where 80 percent of oil is sourced. Such partnerships will not only increase well productivity and Estimated Ultimate Recovery (EURs) to make shale oil projects economically feasible, but also accelerate the advancement of shale gas development in China.



Rebuilding Trust

through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes

Avoid cross-the-board restrictions on new logistics and warehousing spaces, and instead develop and implement reasonable and adaptable locally-designed regulations.

Promote policies favorable to property conversion schemes to support the revitalization of underperforming or underutilized property assets given constraints on the availability of land in China's leading cities.

Adopt reasonable policies to regulate the local logistics industry in accordance with local consumption and industrial demands.

Promoting Development

through Policies of National Treatment and Competitive Neutrality

Maintain 50-year land tenure rights for qualified industrial projects at the national level.

Reduce living costs associated with real estate to attract talent and investment. Promote policies that attract and support the expansion of companies in the high-tech and emerging technology sectors.

Ensure that implementation of the *Foreign Investment Law* is consistent with the principle of national treatment to ensure foreign and domestic investors are treated equally with respect to their commercial real estate investments.

Stimulating Innovation

through Global Cooperation and Intellectual Property Protection

Work closely with industry leaders to develop reasonable and flexible regulations for the Proptech sector that balances sector growth and technology development within an appropriate regulatory framework.



Rebuilding Trust

through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes

Develop a comprehensive legislative framework to oversee cross-border e-commerce import and export activities.

Revise the *Interim Measures for the Administration of Internet Advertising* to clearly distinguish between accidental or unintentional inaccuracies in product advertising that do not affect the integrity of the product and deliberate claims used to falsely promote retail products and to disincentivize professional fault finders (PFFs) from seeking extravagant or unwarranted damages from retailers.

Promoting Development

through Policies of National Treatment and Competitive Neutrality

Continue to expand, adjust, and optimize the scope of items on the *Cross-Border E-commerce Retail Imports Positive List* to encourage the growth of a healthy consumer base.

Lift the ban on "bonded" online shopping to provide Chinese consumers access to a wider variety of products and encourage FIEs to target the China market in these industries.

Stimulating Innovation

through Global Cooperation and Intellectual Property Protection

Engage openly and transparently with industry stakeholders during the development of new rules and regulations to manage the e-commerce sector and ensure a reasonable transition period for retailers to adapt to new regulations.



Rebuilding Trust

through Concrete Actions Leading to Greater Transparency and Evenhandedness of Regulatory Processes

Improve coordination between China's national-level ministries and commissions to ensure that data on workplace accidents is published regularly through a unified and authoritative channel to serve as a public and professional reference. This should help to build awareness of the importance of OSH.

Improve public awareness of traffic rules and regulations.

Promoting Development

through Policies of National Treatment and Competitive Neutrality

Strengthen the supervision and management of confined space operations and safety management measures, require enterprises to comply with written operating procedures, and standardize safety management protocols for companies that operate in confined spaces.

Strengthen training opportunities for the operators of Mobile Elevating Work Platforms on the basis of *GB/T 27549-2011 Mobile elevating work platform—Operator (driver) Training*. Ensure that this recommended standard is consistently applied and enforced. Alternatively, support the promulgation of group standards similar to GB/T27549-2011 to continue to improve the safety of work at height.

Stimulating Innovation

through Global Cooperation and Intellectual Property Protection

Promote best practice training with respect to occupational safety and health (OSH). One way to do so is to incentivize social organizations to participate in OSH training and education, encourage industry associations to develop professional training courses complete with professionally-approved content and industry best practices, and strengthen the public dissemination of information and reporting on OSH data related to accidents, risks, and the benefits of investing in OSH prevention.

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中国美国商会的《美国企业在中国白皮书》（《白皮书》）是来自在华美国企业针对影响外资企业在中国的经济政策和实践的全面分析。2020年第22期《白皮书》内容涵盖18个主要行业、12个跨领域议题和中国四个主要地区或城市的各类会员公司的意见。

2019年是中美关系动荡的一年，工商界也因此面临不少挑战。今年《白皮书》的37个章节中，每一章都总结了2019年所达成的的监管改进，但也包含了我们的会员公司在中国仍然面临的挑战和问题。《白皮书》的篇幅接近450页，为了提炼出中国美国商会传递的主要信息和政策重点，我们的2020年《白皮书》摘要文件将我们的行业政策重点建议与中国美国商会2020年的总体政策重点联系起来，同时通过美国商界在中国面临的各种挑战实例再次强调了政策重点的实质内容。中国美国商会2020年的政策重点将指导商会的工作。今年的政策重点是是：1) 通过实际行动重建信任，提高监管流程透明度和公平性; 2) 通过国民待遇和竞争中立政策推动发展，3) 通过全球合作和知识产权保护激励创新。



《白皮书概要》 | 商会2020年跨行业政策重点

通过实际行动重建信任， 提高监管流程透明度和公平性

承诺进行有意义的改革，制定明确的基准、时间表和重点监测，以确保中国的法律和监管结构有长久性改变，法律法规得到公正的实施。同样地，中国政府部委之间就政策制定、实施和执行要保持协调一致，这一点同样重要。

为外国公司提供平等参与起草和审核相关法律法规的机会，并确保草案的“征求意见期”时间表合理，并提前公布，以便国内外商界充分参与。

通过国民待遇和竞争中立政策 推动发展

外国投资者的待遇不应低于任何中国私有、国有或国有控股企业的最优待遇。

对外国实体、产品和服务与中国企业区别对待的法律法规、执法活动、审批流程、采购偏好和其他要求都应取消。

在更多领域实行市场开放，尤其是已经承诺开放的领域，来建立更平衡的投资关系。如果中国企业可以在美国投资，美国企业也应该可以依照同样的条款和条件在中国投资。

通过全球合作和知识产权保护 激励创新

利用互联网平台促进全球交往，放宽《网络安全法》里规定的跨境数据流动限制，鼓励国际合作与创新。

建立明确统一的惩罚制度，并借助网络手段遏止知识产权盗窃。

中国政府按照《外商投资法》制定知识产权保护机制时，应当与外国商界密切磋商，引入惩罚性赔偿制度，以便更好地协调知识产权保护机制以及知识产权纠纷解决机制。

所有标准制定技术委员会要向外商投资企业开放，以便其与国内企业平等参与。如果可能的话，标准制定程序应当确保中国国内标准与国际公认标准和最佳做法保持一致。

通过实际行动重建信任， 提高监管流程透明度和公平性

简化种子和育种原料进出口,简化饲料和饲料添加剂进口,简化农药行业的审批程序。

与第一阶段协议一致,简化农业生物技术监管流程以及相关的审核时间表.相关认证程序应按照规定的计划期限定期进行。

继续在整个农业供应链中采用科学的评估标准,例如牛肉和猪肉进口的评估标准,并通过简化审批程序,让中国农民获得更多的抗生素替代品。

通过国民待遇和竞争中立政策推动发展

进一步允许外资投资农业生物技术、现代农业加工,小麦、玉米、大豆和水稻育种及种子生产,从而提高中国农业的竞争力和可持续性。

将外商投资企业纳入关税配额的最终分配过程,公布最终分配结果并作书面说明。

通过全球合作和知识产权保护激励创新

对植物新品种保护的侵权行为实施更严厉的处罚。

继续在整个农业供应链中采用科学的评估标准。

商会还建议提供更多知识产权工具以全面保护创新:

- 将实质性派生品种纳入《植物新品种保护条例》终稿。商会促请农业农村部尽快制定技术规范,确定实质性派生品种,特别是玉米品种,
- 确保商业秘密保护应用于种质产品,保护育种创新权,
- 对应用于非单个植物品种的创新生物技术产品授予适当的专利权,
- 引入分子检测方法以助农作物免受病虫害,
- 为种子公司建立知识产权信用体系,更好地管理种子研发过程中的知识产权,加强植物新品种保护执法。



通过实际行动重建信任， 提高监管流程透明度和公平性

政策制订和起草的早期阶段，给与企业更多参与讨论、反馈意见的机会，让政策、标准更符合市场需求，更有利于市场和行业的健康发展。

建立有效、透明、公开的协调机制，各个政府主管机构应当加强合作，明确主要概念、要求和职责。

鉴于汽车生产、技术升级周期较长（通常为数年），政策制定和调整的周期应至少长于三年，以使行业适应新法规。

希望在下一阶段排放标准实施前，给乘/商用车4-5年准备期。

通过国民待遇和竞争中立政策推动发展

建议尽快落实智能网联、自动驾驶等新技术、新工艺、新材料的许可豁免机制，鼓励其应用。

建议政府继续加强营造从新能源汽车的设计研发至报废回收全生命周期内的公平竞争环境。

破除不利于新能源汽车发展的相关限制政策及地方保护措施，真正做到新能源汽车的“不限行，不限购，不限行”。

通过全球合作和知识产权保护激励创新

我国标准化相关主管部门在标准制定过程中，积极与国际标准化活动沟通协调，同时以更加开放的态度吸纳外商投资企业实质参与标准化工作，最终实现全球统一的智能网联汽车标准法规体系。

建立技术评估委员会和相应评估流程，给予相应的认证豁免等，以便鼓励并促进技术创新。



通过实际行动重建信任，提高监管流程透明度和公平性

明确界定外资理财管理子公司的全业务服务范围，并制定明确、便捷、透明的申请流程。

与行业密切协商，全程透明地制定行业具体监管要求和标准。

通过国民待遇和竞争中立政策推动发展

取消银行业的所有配额，包括外债配额。

允许外国金融机构担任公司债券的主承销商。

取消境外投资者直接与本地次托管行签订合同的要求，允许全球托管行与本地次托管行签订合同，从而在中国大陆市场开展业务。

履行承诺，消除外商投资信用评级机构进入市场和运营的障碍。

建议中国证监会允许外资资产管理公司申请提供机构保险和养老金投资等相关的全方位服务。

通过全球合作和知识产权保护激励创新

明确允许公司及其子公司进行内部跨境数据传输，坚持中国在二十国集团大阪领导人宣言中签署的数据自由流动原则。

允许外商投资企业加入中国金融标准技术委员会（TC180），本着技术中立和基于风险的原则，采取网络安全保护措施，并采用全球金融市场协会《金融服务业使用渗透测试的规管架构》中的行业最佳实践惯例，包括认可由认证公司主导的渗透测试。



通过实际行动重建信任， 提高监管流程透明度和公平性

加快建设综合性的全国空中交通管理框架和全国空域容量量化系统，通过加强系统管理有效支持机场运营商、空域飞机制造商和航空公司网络开发专家的工作。

赞扬中国不断努力使用最为先进的建筑材料，实施绿色机场建设标准。然而，中国能够也应该充分认识到施工建设过程对能源和环境的影响。建设施工设备和流程采用国家绿色标准将大大改善地方空气质量。

通过国民待遇和竞争中立政策推动发展

允许航空承运商访问国内航空情报，便于产出所需图表和地图，支持中国的飞行安全工作。

增加外国飞行培训公司进入中国进行飞行员培训的机会。

加强对生产商和承运人等其他方遵守中国危险品管理条例的执法力度有利于创造公平竞争的环境。

通过全球合作和知识产权 保护激励创新

继续认证流程与国际标准接轨。

通过制定方案在整个体系内推行应用，继续推动高效和安全地的新一代和单一欧洲天空空中交通管理研究技术在空中交通管理程序中的有效应用。

持续改进国家航空天气预报系统，提高枢纽机场运营效率、降低航班延误率。

继续与国际民航组织，其他国际组织和标准机构合作，以在全球范围内协调和协调无人机监管框架和无人机交通管理能力发展的全标准。



通过实际行动重建信任， 提高监管流程透明度和公平性

阐明《境外非政府组织法》中含糊不清的措辞，并发布清晰一致的实施细则。起草实施细则的过程应该公开透明，允许境外非政府组织及其中方合作单位参与其中。

明确境外非政府组织“从事或资助营利性活动”或提供服务收费的相关规定。在服务收费方面，把境外非政府组织提供收费服务的权利纳入法律，减轻业务主管部门的负担，保证其无须在不确定的情况下做出决定。

简化临时活动许可备案所需的文件，并要求中方合作单位的业务主管单位在拒绝批准活动后的30天内提供书面说明。

通过国民待遇和竞争中立政策推动发展

更新/扩大业务主管单位名单，同时为担任业务主管单位的相关政府机构制定明确的程序及设立更好的激励措施。

与境外非政府组织及其中方合作单位开展更多外联活动，公安部门应提供《境外非政府组织法》的最新解读信息，中国驻外使领馆也可在境外非政府组织在境外设有办事处的地方举办外联活动。

通过全球合作和知识产权保护激励创新

明确境外非政府组织“从事或资助营利性活动”或提供服务收费的相关规定。在服务收费方面，把境外非政府组织提供收费服务的权利纳入法律，减轻业务主管部门的负担，保证其无须在不确定的情况下做出决定。

通过实际行动重建信任，提高监管流程透明度和公平性

尽快修订《直销管理条例》，放宽直销人员计酬限制，允许以直销人员下属销售团队的销售总量为依据计酬，但不能以招募的人员数量为依据计酬。

建议当局考虑对直销行业，如人员招募，计酬，培训和管理等方面的相关法律法规进行重新规划和制定。

通过国民待遇和竞争中立政策推动发展

尽快修订《直销管理条例》配套规定，放宽直销行业的管制，包括：

- 放宽产品范围管制，允许委托加工产品作为直销产品。
- 取消或放松服务网点方面的要求。
- 减少对直销员培训及企业日常经营行为的限制。

通过实际行动重建信任， 提高监管流程透明度和公平性

尽快完成并发布《中华人民共和国民办教育促进法实施条例》，依法规范治理民办教育领域，保证“促进”和“鼓励”落到实处。

简化《外国人来华工作许可制度》中的外籍教师的签证和工作许可申请程序，能够为中国能够吸引最优秀的教师。出台政策，允许在华学习的外国学生找到工作后将学生签证转为工作许可证。

希望政府继续改进对课堂和在线外籍教师的监管，确保两类外籍教师都符合外国专家局规定的资格要求。

通过国民待遇和竞争中立法推动发展

在改革开放40年的基础上，继续在教育领域制定、实行积极开放、便利、可持续的政策。

政府采取稳步、分阶段的方式进行教育改革，尤其是涉及外商投资企业在教育领域相关投资的改革，否则直接实施近期颁布的规定可能会产生更直接的影响。

考虑将目前实行的子女教育免税津贴延长至2021年。取消这些津贴会导致家庭税负和国际学校费用增加，外籍员工子女的教育费用则会大幅增长。

通过全球合作和知识产权保护激励创新

支持并鼓励人工智能科技融入教育，从而鼓励终身教育。



通过实际行动重建信任， 提高监管流程透明度和公平性

期待在国家层面加快建立快递行业安全监管统一领导框架，明确监管主体，统一全国监管措施。

制定包括安检设备在内的、各部委共同认定的统一技术标准。

建立与公安部现行信息系统兼容监管的数据平台，促进监管部门之间的数据共享，减少重复向企业索取数据的行为。

通过国民待遇和竞争中立政策推动发展

建议行业主管部门充分理解国际快递行业代理模式的特点，对代理模式与加盟模式进行差异化管理，不要将代理模式等同于加盟模式一并纳入现行快递业务经营许可地域范围核定的管理框架下。

通过全球合作和知识产权保护激励创新

网络安全主管部门和快递监管部门应共同研究制定合理的快递行业数据安全评估体系，平衡本地安全需求与快递服务业频繁跨境采集和传输数据的需求。

平稳推进新能源汽车在快递行业的使用，健全通行路权配套政策，完善基础设施。



通过实际行动重建信任， 提高监管流程透明度和公平性

对整个食品饮料业法律法规标准体系建立统一框架，进行统一说明，食品安全法律法规、标准体系和非食品安全标准之间的关系需要澄清，政府相关管理部门的职责划分需要尽快明确。

期待决策部门在制定营养健康政策的过程中，能充分听取科研界和产业界的意见和建议，制定实事求是、公正合理的政策法规。

通过国民待遇和竞争中立政策推动发展

加强美国政府相关主管部门、行业协会等与在华美企的交流。

希望国家市场监督管理总局能够履行美中第一阶段经贸协议的相关条款要求，加快对境外企业婴幼儿配方乳粉配方注册的现场检查工作进度，突出体现对中外企业平等对待的原则，加快企业正常经营。

通过全球合作和知识产权保护 激励创新

在政策及标准制定及执行过程中充分利用商协会采用或建立符合国际标准的食品安全和检验快速检测方法。等平台，开展政府和社会资本合作（PPP）项目或定期交流机制，鼓励分享国际先进经验及技术。

加强美国政府相关主管部门、行业协会等与在华美企的交流，针对中国政府亟需了解的国际经验、最佳实践等，增加由各方参与的研讨机会。

采用或建立符合国际标准的食品安全和检验快速检测方法。



《白皮书概要》 | 医疗卫生服务，药品，和器械

通过实际行动重建信任， 提高监管流程透明度和公平性

我们建议发布支持 MAH实施的指导文件，促使MAH制度能全面落地实施，无论是上市许可持有人所在地是境内还是境外，无论产品隶属化学药品、生物制品或疫苗，都适用同样的法规和技术指南。

所有省和地市级行政单位都设立定期窗口以便审查，将医疗服务加入《国家医疗服务价格项目规范》中，使患者能够以最经济的方式获取到最新设备。

明确说明引入NRDL动态调整机制的意图。使NRDL动态调整机制的任何定期修订都是公开，透明的，并征询公众意见。

职业健康保护技术和医务人员健康权需要加以明确。该项澄清应纳入《健康中国2030》法律法规拟议修订的一部分，例如《职业病防治法》。

通过国民待遇和竞争中立法政策推动发展

建议将外商投资负面清单第 28 条修改为“允许在（若无授权）不改变患者本身遗传基因、泄露患者基因信息的前提下投资人体干细胞、基因诊断与治疗技术开发和应用”。

采购疫苗时，国家免疫计划能从医学原理和产品特性加以考量，而非单纯的进口或国产。

撤销不利于外国试剂生产商发展的现实障碍，包括缩短变更体外诊断试剂注册信息所需的时间。

取消针对外资医院的各种限制和掣肘，包括对外资股本的限制，禁止医院新设分支机构，要求医院每家分支机构分别单独报税，限制允许外籍员工和医生从业的医院数量。

通过全球合作和知识产权保护激励创新

建议制定并征求详细的实施条例，以征询公众意见，以支持《加强知识产权保护意见》中规定的规定，并确保任何此类条例均透明，平等地适用。

促进《中国药典》标准与国际药典标准的统一制定策略并更新和整合应急准备标准。

建议放宽限制，允许医疗器械标准只充当推荐性指南，而非强制性标准，进而推动行业创新。



通过实际行动重建信任， 提高监管流程透明度和公平性

需要对《网络安全法》的内容加以说明。商会敦促政府使用概念和定义的狭义，内容不要超出国家安全的基本和合理定义。

《网络安全法》的任何实施条例都不应超出法律原文范围。商会敦促监管机构在网络安全等级保护框架下考虑放宽当前的强制性要求，因为这是世界上对私营领域网络安全干扰程度最高的框架之一。

在网络安全监督检查中删除侵入性系统扫描和渗透性检测，并认可公司主导的检测结果。

确保公共采购法的适用和解读的一致性。

通过国民待遇和竞争中立政策推动 发展

中国应向外商投资企业开放云计算服务业务，增强竞争力，确保云计算服务行业与全球公认的新兴标准和实践协同发展。

国际标准的密码算法应当和中国国家密码算法一样都是合法的使用，不应当以任何方式强制或鼓励使用国产密码算法。

特别是在信息通信技术领域，商会建议政府以书面形式明确“安全可控”的标准，或解释其他产品的安全性和可靠性标准并不是要以牺牲外国产品和服务为代价品和服务。相反，“安全可控”的标准仅适用于透明、狭义的国家机密和国家安全。

通过全球合作和知识产权保护激励创新

中国应避免孤立自身的人工智能技术发展。鉴于中国的经济地位，商会敦促中国通过多边参与制定全球人工智能伦理体系、标准和最佳实践，成为与其经济状况相称的人工智能发展的领导者，为支持市场健康竞争而发展应用人工智能树立责任底线。

中国应当尽可能避免“数据本地化”政策，或仅在狭窄的适用范围内，遵循透明客观的程序来实施这些政策。同时，中国应积极参与现有的多边框架，例如“大阪轨道”、《亚太经合组织跨境隐私规则体系》和《亚太经合组织隐私框架》。

通过实际行动重建信任， 提高监管流程透明度和公平性

发布关于如何实施外资保险经纪牌照的具体措施，以及外资保险经纪公司申请牌照的具体措施。

减少由于增值税改革所造成的保险公司过重税务负担。

提供对于保险行业法律法规的说明解释，从而减少歧义以及不确定性。

明确银行持有资本和担保基金的关键定义，包括对重大处罚的定义。

通过国民待遇和 竞争中立政策推动发展

出台详细的实施措施，说明如何经营保险业的企业的外国股权上限可以被提高。

通过向外资公司发放经营牌照，提高养老保险和健康保险的市场竞争。

通过促进银保监会与财政部和国家税务总局的协调，以对存在海外风险相关的直接保险保费免征增值税，从而为保险业提供平等的待遇。

以同样的方式和速度审查和批准本地保险公司和外资保险公司的提出的关于设立分支机构的申请。

及时修订2004年《保险资产管理公司监管暂行规定》，以进一步明确取消保险资产管理公司关于外资控股比例限制的规定

通过全球合作和知识产权保护激励创新

允许包括重大疾病保险产品在内的更多类型的保险产品可以通过互联网在线进行全国性销售，从而进一步开放互联网保险行业。



通过实际行动重建信任， 提高监管流程透明度和公平性

任何关于外国律师事务所中国办事处中国办事处的管理规定草案及任何限制要求必须公开透明毛病在颁布实施前公开征求意见。对外国律师事务所就中国法律事务提供咨询的限制政策应该合理切实。

在外国律师事务所设立或增设地方代表处的过程中，应当简化设立要求，消除不可预测因素，缩短审核时间。

通过国民待遇和竞争中立 政策推动发展

修改现行法律法规，允许外国律师事务所雇用的中国执业律师并任用其为合伙人时，不再要求中国执业律师放弃中国律师执业证。

在相关法规中明确允许外国律师参与客户与政府部门间的所有会议，并且允许持证中国律师在中国法院处理诉讼事务。

在征收中国所得税方面，为外国律师事务所提供与中国律师事务所同等的待遇。

允许外国律师事务所聘请外籍非法律专业人士，改进代表的注册及调动程序。



通过实际行动重建信任， 提高监管流程透明度和公平性

简化国四产品的鉴定流程，在更短的时间内完成测试准备，确保排放法律法规的严格和可靠落实。

修改船用发动机的认证要求，采用现行的船用发动机检测，不在使用目前的耐久性试验。

继续推动再制造成品自由跨境流通。对回收再制造的和弦部件免征增值税，考虑允许再制造成品用于保修更换。

对于特定法律法规以及税收政策，在政策执行以及协调方面应提高一致性。

通过国民待遇和竞争中立政策推动发展

考虑用基于当前全球规范的税收抵免制度取代目前的补贴体系，从而确保外资企业享有公平的竞争环境。

确保“中国制造 2025”相关政策不以牺牲外商投资企业为代价扶持国内企业。

确保融资租赁公司进入中国人民银行个人征信系统，并允许公司享受亏损准备金税收抵免，与发达国家接轨。

通过全球合作和知识产权保护激励创新

遵守有关制造机器发动机及发动机零件的全球公认的国际标准。



通过实际行动重建信任， 提高监管流程透明度和公平性

允许境外电视剧按集接受审查，促使内容审查更透明，更系统化，审查速度更快。

废止并/或停止实施全部未经正式颁布或公告的法律，规定，指令，和通知。

通过国民待遇和竞争中立法推动发展

取消市场准入壁垒，允许外商全资控股设立影视制作、发行、和网络视听服务公司。

依据协议谈判达成新的中美电影谅解备忘录，增加外国公司进口电影的分账份额至国际标准水平，增加进口电影的数量，消除市场壁垒。

取消进口电影的旺季发行期限制，允许美国电影制片方自主决定上映日期。

取消网络视听节目服务对境外剧的配额限制。

通过全球合作和知识产权保护激励创新

加强知识产权保护，以改善电影，娱乐和主题公园行业的运营环境。并以透明和平等的方式执行国务院和中共中央制定的关于加强知识产权保护的意见中所提出的规定。

提高对被侵犯版权的版权拥有者的赔偿水平，减轻版权拥有者的举证负担，并制定具有更高的震慑力的惩罚。

制定新的法规，以有效解决由视频聚合网站和移动端应用程序造成的大量互联网盗版行为。



通过实际行动重建信任， 提高监管流程透明度和公平性

减少对于产自美国的液化天然气的进口限制，并取消现有对于产于美国的液化天然气的加证的百分之二十五的关税。

确保离岸环境保护法规不会对正常的环境影响评估（EIA）的审批流程造成不必要的阻碍，或对合法的商业活动产生不利影响，同时对溢油事故进行公平的结论性评估。

通过国民待遇和竞争中立政策推动发展

扩大陆上勘探许可的范围。中方应提供更多，更好的区块，提供充足的数据及访问权限，并制定有利的财务条款吸引非国有石油公司参与竞标。

放开天然气定价权，以真实地反映的天然气供应、具有竞争力的供应链、以及提供页岩气基础设施第三方准入权(TPA)的成本。采用适合页岩气的合同结构也将有助于刺激该行业内外国投资。

通过全球合作和知识产权保护激励创新

考虑制定促进国际石油公司与国内国有石油公司之间的合作的相关政策，以便开发中国尚待开发的海洋湖相页岩，那里蕴藏着中国80%海上石油。这种伙伴关系不仅将提高油井生产率和估算最终采收率（EUR）从而增强页岩油项目的经济可行性，同时也会加快中国页岩气开发的步伐。

通过实际行动重建信任， 提高监管流程透明度和公平性

避免对新物流和仓储空间的一刀切式的限制，并相应地制定实施因地制宜的合理的、操作性强的措施。

针对中国主要城市中土地供应短缺的现象，鼓励通过资产转换重方案重新振兴表现不佳或闲置的物业。

根据当地的消费以及产业发展的需求，采取合理的政策对当地物流行业进行管理。

通过国民待遇和竞争中立政策推动发展

在国家层面上继续给予合格工业项目50年的土地使用权。

降低由于房地产相关生活成本，以吸引人才和投资。促进吸引和支持高科技和新兴技术领域公司发展的相关政策。

确保《外商投资法》的执行符合国民待遇原则，以确保国内外投资者在商业房地产投资方面受到平等对待。

通过全球合作和知识产权保护激励创新

与行业引领企业紧密合作，为房地产科技部门制定合理，灵活的法规，使其在适当的法规框架内兼顾行业增长和技术发展。



通过实际行动重建信任，
提高监管流程透明度和公平性

打造一个全面的立法框架，从而实现对跨境的电子商务进出口实行统一监管。

修订《互联网广告管理暂行办法》，明确区分产品广告中不影响产品完整性的意外差错、无主观故意的不准确表述和故意传播的虚假广告，防止职业打假人向零售商过分的或超出承诺的赔偿要求。

通过国民待遇和竞争中立政策推动发展

继续扩大，调整和优化“跨境电子商务零售进口鼓励清单”中的项目范围，以鼓励健康的消费者基础的增长。

取消“保税”网购的限制，以使中国消费者有多样的产品选择，并鼓励外商投资企业进入这些行业的中国市场。

通过全球合作和知识产权保护激励创新

在制定新的管理电子商务的法律法规过程中，与行业利益相关者公开透明地互动，并确保零售商有一个合理的过渡期以适应新法规。

《白皮书概要》 | 安全生产与应急管理

通过实际行动重建信任，
提高监管流程透明度和公平性

改善中国国部委之间的协调，确保工作场所事故数据作为对公众和专业人士的参考可以在一个统一权威的平台发布，这将有助于提高对职业安全与卫生重要性的认识。

提高公众对交通法律法规的意识。

通过国民待遇和竞争中立政策推动发展

加强对密闭空间运营和安全管理措施的监督管理，要求企业严格遵守书面操作规程，并规范在密闭空间运营的公司的安全管理协议。

在GB / T 27549-2011移动式高空作业平台操作员（驾驶员）培训的基础上，加强为移动式高空作业平台操作员的培训机会。确保此推荐标准得到一致应用和执行。作为替代方案，支持颁布类似于GB / T27549-2011的团体标准，以继续提高高空作业的安全性。

通过全球合作和知识产权保护激励创新

促进有关职业安全与卫生（OSH）的最佳实践培训。可以通过激励社会组织参加职业安全与卫生的培训和教育，鼓励行业协会开发基于专业认可度的内容和行业最佳实践的专业培训课程，并加强对于有关事故，风险以及在职业安全与卫生预防方面的投资收益相关信息的公开传播。

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The American Chamber of Commerce in the People's Republic of China | 中国美国商会

Floor 3, Gate 4, Pacific Century Place, 2A Workers' Stadium North Road,
Chaoyang District, Beijing, 100027, the People's Republic of China
Tel: (8610) 8519-0800 | Fax: (8610) 8519-0899
Website: www.amchamchina.org

Headquartered in Beijing with chapters in Tianjin, Central China (Wuhan), and
Northeast China (Dalian, Shenyang)

北京市朝阳区工体北路甲2号，盈科中心4号门3层
邮政编码：100027
电话：(8610) 8519-0800 | 传真：(8610) 8519-0899
网址：www.amchamchina.org

中国美国商会总部设于北京，在天津、
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